

Appl. No. 09/917,447
Response Dated December 23, 2005
Reply to Office action dated September 26, 2005

REMARKS/ARGUMENTS

Applicants have received and carefully reviewed the Office Action of the Examiner mailed September 26, 2005. Claims 1-29 remain pending. Claim 13 has been amended, and claim 29 has been added. Support for the amendment is found in the specification, claims, and drawings as originally filed. No new matter has been added. Reconsideration and reexamination are respectfully requested.

Specification Objections

The specification is objected to for including blank spaces. The specification has been amended to include the filing information for the co-pending applications. No new matter has been added.

Rejection under 35 U.S.C. § 102(e)

Claims 1-15 and 27-28 are rejected as being anticipated by Westerkamp et al. (U.S. 2002/0026328). The Examiner asserts that Westerkamp et al. teach a method including the steps of providing a database into which each of the number of representatives record his/her activities, providing a number of reports, each report defining a number of unacceptable activity parameters, running the number of reports against the database, each report checking the recorded activities of each representative against the number of unacceptable activity parameters defined in the report, and providing a listing of alerts for only those activities in the database that fall within the unacceptable activity parameters defined in the number of reports. Applicants have reviewed the Westerkamp et al. reference and have found no such teachings.

Westerkamp et al. appears to relate to a management system in which data regarding patient accounts and billing is input into a database, and control reports, alerts, edits, and checklists are generated therefrom. (See, for example, [[0052]]). Westerkamp et al. do not appear to teach a database in which a number of representatives record his/her activities, as recited in claim 1, and as described in the present application.

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The Examiner first cites to page 7, column 1, lines 14-19, which states:

Data entry operators at the healthcare provider workstations 139 access the patient account application server 154 via a web browser. Patient account data are entered into the database management system 150.

Applicants submit that a data entry operator entering patient account data into a database management system is clearly not the same or analogous to having "each of the number of representatives recording his/her activities in the database" (Emphasis Added), as recited in claim 1 and as disclosed in the present application. Said another way, recording a representative's activities in a database is clearly different from entering, for example, patient account data into a database management system.

In addition, Westerkamp et al. do not appear to teach the steps of: providing a number of reports, wherein each report defines a number of unacceptable activity parameters; running the number of reports against the database, where each report checks the recorded activities of each representative against the number of unacceptable activity parameters defined in the report, and providing a listing of alerts for only those activities in the database that fall within the unacceptable activity parameters defined in the number of reports, as recited in claim 1.

The Examiner cites to page 5, column 2, paragraph 2 as disclosing the step of providing a number of reports, wherein each report defines a number of unacceptable activity parameters. The cited portion of Westerkamp et al., however, appears to relate to automatically generating a checklist 40 of all required information to manage the flashpoint proactively. The checklist 40 appears to be passed on to the flashpoint 30 through the patient account software system 138 or 154, and viewed by the data entry personnel through the health care provided workstation. That is, the checklist appears to be used to help ensure that the data entry personnel solicit and input all of the required data into the system. Applicants submit that checking to ensure that all required data is input into a database is clearly not the same or equivalent to the step of providing a number of reports, wherein each report defines a number of unacceptable activity parameters, as defined in claim 1 and as described in the present application.

In addition, Westerkamp et al. describe their alerts as, for example, "notices sent to the

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person entering the data into the patient account system to ensure that required information is collected from the patient." (See, for example, [[0052]]). As can be seen, these alerts of Westerkamp et al. do not appear to be related to activities, and in particular, activities of representatives that have been recorded in the database. In addition, the alerts do not appear to check recorded activities of each representative against a number of unacceptable activity parameters defined in the report, or provide a listing for only those activities in the database that fall within the unacceptable activity parameters defined in the number of reports, as recited in claim 1. Instead, and as indicated above, these alerts of Westerkamp et al. appear to relate to, for example, "notices sent to the person entering the data into the patient account system to ensure that required information is collected from the patient.". Thus, Westerkamp et al. appear to fail to teach each and every element of independent claim 1, and thus cannot anticipate claim 1, or any of the claims dependent therefrom. Reconsideration and withdrawal of the rejection is respectfully requested.

Independent claim 13 recites a method including the steps of providing a number of reports, each report defining a number of acceptable activity parameters, running the reports against the database, and providing a listing of alerts for only those activities in the database that fall outside of the acceptable activity parameters. As stated above, Westerkamp et al. do not appear to teach providing a database in which representatives record their activities. Further, Westerkamp et al. do not appear to teach providing alerts for activities that fall outside of the acceptable activity parameters.

Independent claim 14 recites a method including the steps of defining one or more unacceptable activity parameters for detecting the one or more unacceptable activities when the report is run against the database, determining which of the unacceptable activity parameters can be changed by the supervisor, resulting in one or more changeable activity parameters, and generating a report, the report including the one or more unacceptable activity parameters including one or more of the changeable activity parameters. Independent claim 27 recites a similar method involving acceptable activities. Westerkamp et al. do not appear to teach such method steps.

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The Examiner asserts that in order for the report to be run as mentioned in Westerkamp, a parameter would have to have been identified and defined determining which of the unacceptable activity parameters can be changed by the supervisor. As stated above, Westerkamp et al. do not appear to teach a method including a step of identifying one or more unacceptable activities, and in particular, one or more unacceptable activities of a representative. The information input into the system of Westerkamp et al. does not appear to be related to activities of a representatives, but rather information regarding patient accounts. The Examiner also notes that the report criteria can be edited by one with the proper authority since the intent of Westerkamp's system is a method to manage the patient account life cycle, therefore it would be deemed necessary to have the ability to make changes to the parameters of the reports. Applicants respectfully submit that Westerkamp's teaching of editing the patient information in the database does not anticipate a method step of determining which of the unacceptable or acceptable activity parameters can be changed by the supervisor and generating a report including the changeable activity parameters. Westerkamp et al. thus do not appear to teach each and every element of independent claims 14 or 27, or the claims dependent thereon.

Rejection under 35 U.S.C. § 103

Claims 16-18 are rejected as being unpatentable over Westerkamp et al. in view of Anderson et al. (US 2004/0158524). The Examiner asserts that it would have been obvious to modify the database system as taught by Westerkamp for the financial services industry as taught by Anderson since such a modification would improve the database with a financial services provider (or broker) by providing additional information to its customers. Applicants respectfully traverse the rejection.

As stated above, Westerkamp et al. fail to teach the basic elements of the claimed method. Anderson et al. do not appear to teach what Westerkamp et al. lacks. Additionally, even if one were to combine the teachings of Westerkamp et al. with Anderson et al., one would not arrive at the claimed method. Anderson et al. appear to teach a method and system whereby customers can access data related to their own financial transactions. See, for example, [0002].

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The Examiner points to FIG. 4 of Anderson et al. for teaching that the role of the financial services provider with respect to their activity being recorded for each trade. Applicants respectfully disagree. Anderson et al. teach that FIG. 4 is a diagrammatic representation of an individual financial transaction in which, for each credit or debit card transaction, the data for each record includes particular types of information. See, for example, [0027]. Anderson et al. thus appear to be directed to a system in which a user accesses information regarding their own financial transactions. Anderson et al. do not appear to teach or suggest a method in which representatives are brokers who record their activities and where those activities are trades made on behalf of a customer. Thus, any combination of Westerkamp et al. and Anderson et al. cannot teach or suggest each and every element of the rejected claims. Withdrawal of the rejection is respectfully requested.

Claims 19-26 are rejected as being unpatentable over Westerkamp et al. in view of Gilbert (US 2002/0174043). The Examiner asserts that Gilbert teaches user-configurable financial instrument which uses information from a customer database to generate reports and assist with financial trading activities. The Examiner states that Gilbert is analogous art for the purpose of providing a database system for monitoring financial transactions where the use of unacceptable activities parameters will help reduce the risk of the financial investment firm. The Examiner does not appear to be asserting that Gilbert actually teaches using unacceptable activities parameters to reduce the risk to the financial investment firm, and indeed, Gilbert does not appear to teach such a method. The Examiner asserts that it would have been obvious to modify the database of Westerkamp to be capable of processing financial information to provide a custom-designed report that would allow for the segregating of unacceptable activities. Applicants respectfully traverse the rejection.

It appears that the only teaching or suggestion for defining and using unacceptable activity parameters to reduce the risk to a financial investment firm is found in Applicants' specification, which is improper. Gilbert et al. appear to teach a system that allows a user to view specific information related to a financial instrument in a desired format. Specifically, Gilbert et al. teach that traders or users "may be presented with displays that allow the user to

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make trades, view relevant trade information, or any other suitable screen in connection with the inspection of financial instruments." See [0026]. Gilbert et al. do not appear to teach anything relating to a representative recording his/her activities, defining unacceptable activity parameters, or generating reports including one or more of the unacceptable activity parameters. Further, Gilbert et al. do not appear to teach defining any of the particular unacceptable activities or unacceptable activity parameters recited in dependent claims 18-26. Thus, the combination of Westerkamp et al. and Gilbert et al. cannot teach or suggest each and every element of the claimed methods. Withdrawal of the rejection is respectfully requested.

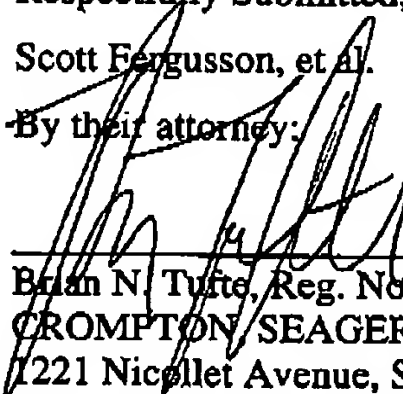
Reconsideration and reexamination are respectfully requested. It is submitted that, in light of the above remarks, all pending claims 1-29 are now in condition for allowance. If a telephone interview would be of assistance, please contact the undersigned attorney at 612-359-9348.

Respectfully Submitted,

Scott Fergusson, et al.

By their attorney:

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